

## **POLICY: PROVIDER CODE OF ETHICS**

**POLICY STATEMENT:** It is the policy of the Bureau of Developmental Disabilities Services (BDDS) that a provider shall abide by, at a minimum, this code of ethics when serving individuals with developmental disabilities.

### **DETAILED POLICY STATEMENT:**

A Provider shall abide by the following code of ethics:

1. A provider shall provide professional services with objectivity and with respect for the unique needs and values of the individual being provided services.
2. A provider shall avoid discrimination on the basis of factors that are irrelevant to the provision of services.
3. A Provider shall provide sufficient objective information to enable an Individual, or the Individual's Legal representative, to make informed decisions.
4. A Provider shall require all owners, directors, officers, employees, contractors, subcontractors or agents to:
  - a. accurately present professional qualifications;
  - b. assume responsibility and accountability for personal competence in the practice of the person's profession and in the provision of supported living services;
  - c. maintain the professional's licensure or accreditation;
  - d. adhere to acceptable standards for the owner, director, officer, employee, contractor, subcontractor or agent's area of professional practice;
  - e. comply with all laws and regulations governing a licensed or accredited person's profession;
  - f. maintain the confidentiality of Individual information consistent with the standards of this article and all other state and federal laws and regulations governing confidentiality of Individual information;
  - g. conduct all practice with honesty, integrity, and fairness;
  - h. fulfill professional commitments in good faith; and
  - i. inform the public and colleagues of services by use of factual information.
5. A Provider shall not advertise or market services in a misleading manner.
6. A Provider shall not engage in uninvited solicitation of potential Individuals, who are vulnerable to undue influence, manipulation, or coercion.
7. A Provider shall make reasonable efforts to avoid bias in any kind of professional evaluation.
8. A Provider shall not allow for nepotism during the conducting, directing, reviewing or other managerial activity of an investigation into an allegation of Abuse or Neglect, by prohibiting friends and relatives of an alleged perpetrator from engaging in these managerial activities.

9. A Provider shall not subject its directors, officers, employees, contractors, subcontractors or agents to negative consequences as outlined in IC 22-5-3-3 following the director, officer employee, contractor, subcontractor or agent reporting:
  - a. the alleged abuse or neglect of an Individual;
  - b. violation of Provider's policies and procedures;
  - c. violation of Division of Disability and Rehabilitative Services (DDRS) policies and procedures; and
  - d. violation of state and federal laws.
10. A Provider shall notify the appropriate party of any unprofessional conduct that may jeopardize an individual's safety or influence the individual or individual's representative in any decision making process, which may include:
  - a. the Division of Disability and Rehabilitative Services;
  - b. the Indiana State Department of Health;
  - c. a licensing authority;
  - d. an accrediting agency;
  - e. an employer; and
  - f. the office of the Indiana Attorney General, Consumer Protection Division;
  - g. the individual's guardian.

### **Policy and Procedure for Code of Ethics**

1. A Provider shall:
  - a. develop;
  - b. distribute to its owners, directors, officers, employees, contractors, subcontractors, or agents; and
  - c. enforce a policy and procedure regarding a code of ethics for its owners, directors, officers, employees, contractors, subcontractors and agents.
2. A Provider shall:
  - a. develop;
  - b. distribute to its owners, directors, officers, employees, contractors, subcontractors, or agents; and
  - c. enforce a policy and procedure in compliance with IC 22-5-3-3 that includes protections for whistleblowers who report violations of:
    - i. the alleged abuse or neglect of an Individual;
    - ii. violation of Provider's policies and procedures;
    - iii. violation of DDRS policies and procedures; and
    - iv. violation of state and federal laws.
3. The policy and procedure shall be consistent with 460 IAC 6-1-1 and include,
  - a. prohibitions against providing gifts to:
    - i. state employees;
    - ii. special state appointees;
    - iii. the spouse or un-emancipated child of an employee;
    - iv. the spouse or un-emancipated child of a special state appointee;

- v. an Individual potentially receiving services from the Provider; and
  - vi. any guardian or family member of an Individual potentially receiving services from the Provider.
- b. ethical safeguards and guidelines limiting the provision of gifts to:
- i. an Individual receiving services from the provider; and
  - ii. any guardian or family member of an individual receiving services from the provider.

## DEFINITIONS

“Abuse” means:

1. Intentional or willful infliction of physical injury.
2. Unnecessary physical or chemical restraints or isolation.
3. Punishment with resulting physical harm or pain.
4. Sexual molestation, rape, sexual misconduct, sexual coercion, and sexual exploitation.
5. Verbal or demonstrative harm caused by oral or written language, or gestures with disparaging or derogatory implications.
6. Psychological, mental, or emotional harm caused by unreasonable confinement, intimidation, humiliation, harassment, threats of punishment, or deprivation.

“BDDS” means bureau of developmental disabilities services as created under IC 12-11-1.1-1.

“DDRS” means the division of disability and rehabilitative services as established by IC 12-9-1-1.

“Individual” means an individual with a developmental disability who has been determined eligible for services by a service coordinator pursuant to IC 12-11-2.1-1. If the term is used in the context indicating that the individual is to receive information, the term also includes the individual’s legal representative.

“Legal representative” has the meaning set forth in IC 12-10-13-3.3.

“Provider” means a person or entity approved by the BDDS to provide the individual with agreed upon services.

## REFERENCES

IC 12-8-8-4

IC 12-9-2-3

IC 12-11-1.1-1



DDRS Policy Manual  
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Provider Code of Ethics

Approved by: Julia Holloway, DDRS Director -